

**REMARKS**

Claims 1, 4, 6, 9, 11-27 are pending in the present application. Claims 2-3, 5, 7-8 and 10 have been cancelled. By this reply, claims 15-27 have been added. Claims 1, 4, 6, 9, 19 and 21-27 are independent claims.

The claims have been amended to clarify the invention and to correct informalities according to U.S. practice. These modifications are fully supported by the original disclosure, e.g., see Fig. 2, page 2, lines 9-10; page 7, line 3-page 8, line 10, etc. of the specification.

**Interview Conducted**

Applicant appreciates the Examiner for the personal interview conducted on August 2, 2005 with Applicant's representative, Ms. Esther Chong, and for the Interview Summary.

**Allowable Subject Matter**

Claims 4 and 9 have been indicated as objected, but allowable if rewritten in independent claims. Accordingly, these claims have been revised and are presented as independent claims 4 and 9. Thus, these claims are believed to be allowable over the prior art of record.

**Abstract**

The Abstract has been objected to because of certain informalities. Accordingly, a new Abstract is provided to overcome this objection.

**35 U.S.C. §§ 102 & 103 Rejections**

Claims 1-3, 5-8, 10-11 and 13-14 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Kaneko et al. (U.S. Patent No. 6,505,347). Claim 12 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaneko et al. These rejections, insofar as they pertain to the presently pending claims, are respectfully traversed.

Regarding independent claim 1, Kaneko et al. is directed to a control information generating apparatus for transmitting audio and video signals multiplexed with video control information and program information. As shown in Figure 5, Kaneko et al. discloses a bandwidth adjuster 27 for determining a bandwidth adjustable range for different tables.

Particularly, as shown in Figure 14 of Kaneko et al., for different EITs, the bandwidth adjuster 27 determines transmission cycles of the different EITs based on the amount of data carried in the different EITs. More specifically, within a given period of time, the amount of data carried in each EIT is considered and a particular EIT having the greatest amount of data is selected for the object of determination of the transmission cycle; see column 15, lines 57-column 16, line 33 of Kaneko et al.

In clear contrast, in Applicant's embodied invention, the issuance intervals respectively for different EITs (e.g., EIT-0, EIT-1, etc.) are set to be non-uniform based on the range of broadcasting time which each of these EITs is assigned to cover. For instance, only as a non-limiting example, in Figure 2 of the present application, an increment interval in box 218

can be set and the EITs to be affected are pre-selected in box 220, such that as the EIT table number increases, the issuance intervals for these EITs also increase. In this process, the issuance interval for an EIT which is assigned to cover a range of broadcast time nearer the present is set to be less than the issuance interval for an EIT which is assigned to cover a range of broadcasting time further in the future. As such, the manner in which the transmission cycles of the EITs is determined in Applicant's embodied invention is patently distinct from the manner in which the transmission cycles of the EITs in Kaneko et al. (which is based on the amount of data contained in the EITs).

In the Office Action dated May 19, 2005 and also during the interview conducted on Aug. 2, 2005, the Examiner specifically relied on column 15, lines 26-31 of Kaneko et al. to reject the claims. However, as pointed out during the interview, this portion of Kaneko et al. describes how the transmission cycles of the PAT and PMT tables may be set in comparison with the CLT table, and has nothing to do with EITs. Further, in Kaneko et al., for the PAT and PMT tables, the bandwidth adjuster 27 may control the transmission cycles of these tables based on the frequency of such table references; see column 15, lines 32-35 of Kaneko et al. In other words, for the PAT and PMT tables, the transmission cycles of these tables in Kaneko et al. are set based on the frequency in which such tables are referred to. But, this is clearly distinct from setting the issuance intervals of certain EITs based on the range of broadcasting time which each of the certain EITs is assigned to cover, as in Applicant's invention. A high frequency of table reference (Kaneko et al.) does not necessarily mean that the table is

the assignment of the EITs to different broadcasting time ranges (Applicant's embodied invention).

Therefore, Kaneko et al. fails to teach or suggest, inter alia:

setting the issuance intervals for the EITs, respectively, to be non-uniform based on the range of broadcasting time which each of the EITs is assigned to cover,

wherein among the EITs, the issuance interval for an EIT covering a range of broadcasting time nearer a current time is set to be less than the issuance interval for an EIT covering a range of broadcasting time further in the future.

#### **New Claims**

Claims 15-18 depend from independent claims 1 and 6 and are thus allowable at least for the same reasons that their independent claims are allowable as discussed above. Other claims 19-27 recite similar or other distinguishing features of the present invention and are thus believed to be allowable over the prior art of record.

#### **Conclusion**

For the foregoing reasons and in view of the above clarifying amendments, the Examiner is respectfully requested to reconsider and withdraw all of the objections and rejections of record, and to provide an early issuance of a Notice of Allowance.

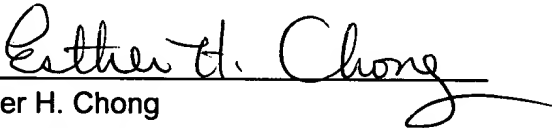
Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Applicant(s) respectfully petitions under the provisions of 37 C.F.R. § 1.136(a) and 1.17 for a one-month extension of time in which to respond to the Examiner's Office Action. The Extension of Time Fee in the amount of \$120.00 attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: September 19, 2005

Respectfully submitted,

By 

Esther H. Chong

Registration No. 40,953

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

Attorney for Applicant